

REGULAR MEETING MINUTES

Board of Directors of Timberon Water and Sanitation District

Tuesday, January 14, 2025, at 4:00 pm

Timberon Community Center, "Lodge"

1 Bobwhite Circle, Timberon, NM 88350

CALL TO ORDER

The meeting was called to order at 4:00 PM by Chairman David Cruey.

Pledge of Allegiance

Salute to the New Mexico Flag *"I salute the flag of the state of New Mexico, the Zia symbol of perfect friendship among united cultures."*

ROLL CALL

Chairman David Cruey, Vice Chair Edward Hardesty, and Treasurer Jesse Duckett were present. Director Allan Burmeister was absent. Also present were General Manager Otis Price and board secretary Nanette Thorell.

APPROVAL OF AGENDA

Chairman Cruey requested to add a discussion item of Standby adjustments to the meter rates, moving forward into the future. Vice Chair Hardesty moved to approve the agenda with the additional discussion item. Treasurer Duckett seconded the motion. A vote was called. Vice Chair Hardesty voted yes; Treasurer Duckett voted yes. The motion to approve the agenda with the additional discussion item passed.

MANAGER'S REPORT

GM Price gave his report:

Water production for December was 3,441,700 gallons at the plant well. 2,470,080 gallons at the golf course well and 41,504 gallons at the filtration from the springs which is offline now for repair and rebuilding the collection point.

Water theft for the last 30 days, over 300,000 gallons were stolen. Police reports are being submitted, and we are starting to file liens on the properties. 28,000 gallons were stolen from a property on Pounds in the last month, and we suspect that they are reselling it.

We are being bogged down with a lot of information requests (IPRA's) and we have had several PRC complaints. In the last 30 days, Dewayne Beagles has filed 3 IPRA's. Marty Myers has filed 21 IPRA's, Terri Borzoni, Mark Harding and Barbara Shockley have all filed complaints with the PRC.

Audience member Richard McMullen inquired about the status of the new computers in the office. Kyle (IT) gave a short report about the steps he has taken to secure the office computers. Chairman Cruey added that our Administrative Assistant Wendy has got us all caught up for last year with the exception of the Operations account, she had to go back through all the bank statements and recreate 100% of last year, she is close to finishing up the operations account.

TREASURER'S REPORT

Treasurer Duckett asked for assurance from Kyle that he would have access to the financial computer with Quickbooks. Kyle answered that he is putting a computer together that will have that information on it, aside from the one that Wendy uses, and with the new system he will have the access he needs.

Treasurer Duckett gave his report on the bank balances:

F&S \$31,108.17; Operations checking account \$106,481.56; USDA Construction Loan pass-through account \$1,062.56; USDA Debt service account \$1,837.46; USDA Short Term asset replacement account \$167,117.01; Water Restricted Reserve account \$10,132.52; Water Standby account \$19,653.15.

Audience member Richard McMullen asked if the bank signatures for checks had been updated. There was some discussion about the requirements of one or two signatures on the checks.

OLD BUSINESS:

1. Discuss/Approve minutes of the December 12th Special Meeting

Vice Chair Hardesty moved to approve the minutes of the December 12th Special Meeting as written. Treasurer Duckett seconded the motion. A vote was called. Vice Chair Hardesty voted yes; Treasurer Duckett voted yes. The motion to approve the minutes of the December 12th meeting passed.

2. Provide an update on the petition to District 12, to name a replacement for the vacant BOD seat.

Vice Chair Hardesty read aloud the court order appointing Derenda Windham Robb to the TWSD Board of Directors until the next election.

3. Administer the Oath of Office to new Board Member.

Board Secretary/Notary Public Nanette Thorell administered the Oath of Office to Ms. Windham Robb and notarized the document.

Vice Chair Hardesty made an additional statement regarding the upcoming elections for the new board. On Tuesday August 26th 2025 from 9 AM to 5 PM, if you want to run for one of these seats you have to physically go down to the County Clerk elections office and file the paperwork as a candidate. All five seats are going to be open.

4. Discuss/Approve/Disapprove the purchase of a new or refurbished Neptune MRX920 handheld meter reader and optional software app Neptune 360 (tabled from the Dec 12th meeting).

Treasurer Duckett expressed his concern about the cost of a new unit. After some relevant technical input and recommendations from Kyle (IT) and Leo (procurement) on the pros and cons of a new or refurbished meter reader, Vice Chair Hardesty moved to approve the purchase of a new Neptune meter reader and the corresponding software. Director Windham Robb seconded the motion. A vote was called. Vice Chair Hardesty voted in

favor, Director Windham Robb voted in favor, Treasurer Duckett opposed. The motion to approve the purchase of a new Neptune meter and corresponding software passed.

5. Discuss/Approve/Disapprove the purchase of 20 water meters at a cost of \$3,000 - \$4,000.00

Field Procurement Officer Leo offered advice about the purchase of new meters. Vice Chair Hardesty moved to purchase 20 water meters at a cost at a cost of \$3,000-\$4,000.00. Treasurer Duckett seconded the motion. A vote was called. Vice Chair Hardesty voted yes; Treasurer Duckett voted yes; Director Windham Robb voted yes. The motion to purchase the water meters passed.

6. Discuss/Approve/Disapprove a transfer of funds from the Restricted Reserve to the Operations account for water-related purchases.

It was determined that this item was previously approved, so an additional approval was unnecessary. Vice Chair Hardesty made a motion to table this agenda item. Treasurer Duckett seconded the motion. A vote was called. Vice Chair Hardesty voted yes; Treasurer Duckett voted yes; Director Windham Robb voted yes. The motion to table this item passed.

7. Provide an update on the Rodey Law Firm and New Gen Strategies accounts.

Vice Chair Hardesty reported that NewGen Strategies has been paid in full. Rodey Law Firm is owed the final installment of \$24,000.00 planned to be paid by March 1, 2025. The balance due will come out of the Operations account.

NEW BUSINESS

1. Discuss/Approve a meeting time for the OMA Resolution for the schedule of the 2025 TWSD BOD meetings, in lieu of the 4:00 PM (year 2024) meeting time.

Vice Chair Hardesty moved to approve the OMA Resolution for the schedule of the 2025 TWSD Board of Directors meetings to be held at 4:00 PM on the second Tuesday of every month. Director Windham Robb seconded the motion. A vote was called. Vice Chair Hardesty voted yes; Treasurer Duckett voted yes; Director Windham Robb voted yes. The motion to approve the OMA Resolution for the meeting time passed.

2. Read and Adopt Resolution No. 2024/2025-001 BOARD OF DIRECTORS OF THE TIMBERON WATER AND SANITATION DISTRICT TIMBERON, NEW MEXICO OPEN MEETINGS ACT RESOLUTION.

Vice Chair Hardesty read the resolution aloud, and the resolution was signed by the present board members.

3. Discuss/Approve a compensation package for two employee positions whose job description has been changed.

This agenda item will be moved to the closed session, as it involves employee information.

4. Discuss/Approve the formation of a Water Rules Advisory Committee, consisting of one board member and members of the community, per TWSD Bylaws Article 11.4.

Vice Chair Hardesty moved to table agenda item 4. Director Windham Robb seconded the motion. A vote was called. Vice Chair Hardesty voted yes; Treasurer Duckett voted yes; Director Windham Robb voted yes. The motion to table agenda item 4 passed.

5. Discuss changes to the cleaning deposit in the Lodge Annex rental agreement.

Office Coordinator Jessica Roberts reported on the lodge rental agreement, and a plan to discontinue the rental key in favor of a key card that can be reprogrammed after each use. She recommended that the rental fees stay the same, and the cleaning deposit be reduced to \$75.00. *Agenda item for the next meeting: vote on cleaning deposit and rental fee for use of the lodge.*

6. Discuss/Approve/Disapprove the potential reintroduction of an "Action List," similar to those used in past Board meetings.

Treasurer Duckett explained an Action List, as something the board Secretary needs to keep and update as needed. Vice Chair Duckett moved to approve a board Action List to be implemented in board meetings from this point on. Vice Chair Hardesty seconded the motion. A vote was called. Vice Chair Hardesty voted yes; Treasurer Duckett voted yes; Director Windham Robb voted yes. The motion to approve a board Action List passed.

7. Closed Session.

Purpose: To discuss attorney-client privileged matters and provide direction for the TWSD attorney's course of action.

- **Motion: To enter into closed session for the purpose of discussing attorney-client privileged matters.**
- **Discussion: Limited to the stated purpose of the closed session.**
- **Motion: to return to open session.**
- **Open Session: Upon return to open session, a motion will be presented for a vote regarding the direction the TWSD attorney should proceed based on the closed session discussion.**

Vice Chair Hardesty moved to go into closed session to discuss attorney-client privileged matters and also to discuss the compensation package which is a personnel item that is exempt from open meetings. The meeting went into closed session at 5:45 PM

Vice Chair Hardesty made a motion to return to open session. Director Windham Robb seconded the motion. A vote was called. Vice Chair Hardesty voted yes; Treasurer Duckett voted yes; Director Windham Robb voted yes. The motion to return to open session passed and the board returned to open session at 6:25 PM.

Vice Chair Hardesty stated that the matters discussed in closed session were restricted to attorney-client privileges matters, and the compensation package for two current employees.

Vice Chair Hardesty moved to direct the attorney to proceed as discussed. Director Windham Robb seconded the motion. A vote was called. Vice Chair Hardesty voted yes;

Treasurer Duckett voted yes; Director Windham Robb voted yes. The motion to direct the attorney as discussed passed.

Vice Chair Hardesty moved to adopt the new job descriptions for Jessica Roberts and JoeBob Shields with an approved pay raise for each. A vote was called. Vice Chair Hardesty voted yes; Treasurer Duckett voted yes; Director Windham Robb voted yes. The motion to adopt the new job descriptions for Jessica Roberts and JoeBob Shields with an approved pay raise for each passed.

PUBLIC QUESTION AND ANSWER SESSION

None.

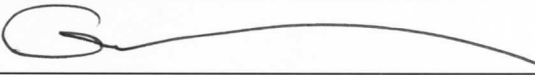
DIRECTOR'S REMARKS


None.

MOTION TO ADJOURN

Vice Chair Hardesty moved to adjourn the regular meeting. Director Windham Robb seconded the motion. A vote was called. Vice Chair Hardesty voted yes; Treasurer Duckett voted yes; Director Windham Robb voted yes. The motion to adjourn the meeting passed and the meeting adjourned at 6:30 PM.

Approved February 6, 2025

Chairman David Cruey 

Secretary Nanette Thorell 

{SEAL}

